

**BRANT BEACH, NEW JERSEY
JUNE 11, 2014**

A Regular Public Meeting of the Land Use Board of the Township of Long Beach was held in the Multi-Purpose Room in the Administration Building, 6805 Long Beach Boulevard, Brant Beach, New Jersey on the above date.

The meeting was called to order at 7:00 P.M.

Mrs. C. K. Sichi, Board Attorney, made the following announcement: "This is a regular meeting of the Long Beach Township Land Use Board, notice of which was posted on the Bulletin Board in the Municipal Clerk's office and advertised in the Beach Haven Times and Asbury Park Press and filed with the Municipal Clerk on or before January 1, 2014 as required by the Open Public Meeting Act."

Members of the Board present: **J. C. Konnor, J. A. Leonetti, R. R. Monaco as Mayor's Designee, R. Pingaro, D. A. Southwick, R. S. VanBuren and Mrs. L. J. Schnell presiding.**

Members of the Board absent: **Mrs. V. E. Applegate, Commissioner R. H. Bayard, and Mayor J. H. Mancini.**

Alternate members of the Board present: **R. L. Jones, R. Andreotta and E. J. Hummel.**

Alternate member of the Board absent: **P. M. Moran.**

Also present were the following: **Mrs. C. K. Sichi, Esq., Board Attorney, Mr. F. J. Little, Jr., P.E., Board Engineer, Mrs. L. C. Krueger, Secretary for the Board/Commission and Mrs. S. L. Bongiovani, Clerk.**

(Tape #565 - Side 1)

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Mrs. Sichi gave a brief overview of the applications to be considered:

(1) #LUB-25-14: TAROLLA (Block 11.13, Lot 17) 10201 Long Beach Boulevard, North Beach Haven: Mrs. Sichi stated that the applicant proposed to demolish the existing storm damaged home and construct a new single family home which required bulk variances for front and side yard setback.

(2) #LUB-26-14: VERHOFF (Block 4.36, Lots 11 & 12) 8 & 10 East 19th Street, North Beach Haven: Mrs. Sichi stated that the applicant proposed to relocate the existing lot line requiring minor subdivision approval. It was brought to the Board's attention that a duplex currently existed on the property.

(3) #LUB-29-14: CHIELLINI (Block 6.33, Lot 2) 105 East South 32nd Street, Beach Haven Gardens: Mrs. Sicheri stated that the applicants proposed to demolish the existing single family home and construct a new single family home which required variances for lot area and width. Mrs. Sicheri noted that the applicants were bettering the existing side yard setback and lot coverage.

(4) #LUB-27-14-PF: VERIZON (Block 4.41, Lots 4 & 5) 1900 Long Beach Boulevard, North Beach Haven: Mrs. Sicheri stated that the property was located in a split zone, partially commercial and partially residential. Mrs. Sicheri noted that the applicants proposed to subdivide the property into four lots which required major subdivision, major site plan, bulk and special reasons variances. She noted that three of the lots were proposed for residential use and one commercial lot to house the Verizon switching station. Mrs. Sicheri stated that a lot line adjustment was also proposed between lots 4 and 5.

(5) #LUB-28-14: COON (Block 15.01, Lot 14) 7 West Harrington Avenue, Brant Beach: Mrs. Schnell announced that the application would not be heard this evening.

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Minutes of the meeting held April 9, 2014 were presented for approval. **VanBuren** moved, seconded by **Jones** for adoption. **Konnor, Leonetti, Schnell, Southwick, VanBuren, Jones and Hummel all voted YES.**

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Mrs. Schnell listed the following **Resolutions of Memorialization:**

1. **#LUB-18-14: BOGOSIAN** – Resolution of Approval moved by **Pingaro**, seconded by **Jones**. The following roll call vote was recorded: **Konnor, Leonetti, Monaco, Pingaro, Schnell, VanBuren and Jones all voted YES.**
2. **#LUB-20-14: ZIMAN** - Resolution of Approval moved by **VanBuren**, seconded by **Pingaro**. The following roll call vote was recorded: **Konnor, Leonetti, Monaco, Pingaro, Schnell, VanBuren and Jones all voted YES.**
3. **#LUB-21-14: DRURY** – Resolution of Approval moved by **Konnor**, seconded by **Jones**. The following roll call vote was recorded: **Konnor, Leonetti, Monaco, Pingaro, Schnell, VanBuren and Jones all voted YES.**
4. **#LUB-22-14: AGOGLIA** – Resolution of Approval moved by **VanBuren**, seconded by **Jones**. The following roll call vote was recorded: **Konnor, Monaco, Pingaro, Schnell, VanBuren, Jones and Andreotta all voted YES.**
5. **#LUB-23-14: EISENBERG** – Resolution of Approval moved by **Konnor**, seconded by **Pingaro**. The following roll call vote was recorded: **Konnor, Leonetti, Monaco, Pingaro, Schnell, VanBuren and Jones all voted YES.**
6. **#LUB-24-14: LYONS** – Resolution of Denial moved by **Pingaro**, seconded by

Konnor. The following roll call vote was recorded: **Konnor, Leonetti, Monaco, Pingaro, Schnell, VanBuren and Jones all voted YES.**

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Mrs. Schnell noted that there were four applications to be considered, as follows:

(1) **#LUB-25-14 NORTH BEACH HAVEN**

GLADYS TAROLLA

Owner and Applicant

Block 11.13, Lot 17

Mr. Richard P. Visotcky, Esquire, represented the applicant and evidence was marked as follows: Application and Attachments, **#A-1**, Variance Map prepared by Horn, Tyson and Yoder, Inc., dated November 11, 2013 bearing the latest revision date of April 1, 2014, **#A-2**, and, two page architectural drawings prepared by Craig W. Brearley, A.I.A., Architect dated April 2, 2014, **#A-3**. Mr. Visotcky stated that the existing single story home had suffered storm damage and that the applicant proposed to replace it with a two story single family home. Mr. Visotcky stated that variances were required for front yard setback from Long Beach Boulevard and side yard setback from the air conditioner platform.

Mr. James Brzozowski, P.E., P.P. with the firm of Horn, Tyson and Yoder, Inc., was sworn and described the property to the Board and noted that it was a corner lot. He described two sheets of photographs, marked **#A-4 and #A-5**. Mr. Brzozowski noted that the proposed air conditioner platform would be located adjacent to the neighbor's platform. Mr. Brzozowski stated that the driveway access would be relocated from Long Beach Boulevard to Texas Avenue.

Mr. Craig Brearley, Architect, was sworn and described the proposed architectural plans to the Board. Mr. Brearley addressed the proposed location for the air conditioner platform.

The Public Session was closed.

Mr. Visotcky requested that the application be approved as submitted.

The Board felt that the request was minimal and approved of the proposed new structure.

Leonetti moved, seconded by Southwick to approve the application as submitted. The following roll call vote was recorded: **Konnor, Leonetti, Monaco, Pingaro, Schnell, Southwick, VanBuren, Jones and Andreotta voted YES.**

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KENNETH & MICHELLE CHIELLINI

Owners and Applicants

Block 6.33, Lot 2

Mr. Stuart D. Snyder, Esquire, represented the applicants and evidence was marked as follows: Application and Attachments, #A-1, Variance Map prepared by Horn, Tyson and Yoder, Inc. dated October 2, 2013 bearing the latest revision date of March 20, 2014, #A-2, and, Architectural drawing prepared by Studio Tagland Designs, Inc., dated April 28, 2014, #A-3. Mr. Snyder stated that there was not any adjacent property available to make the undersized lot conforming and that all existing nonconformities would either be improved or eliminated. Mr. Snyder noted that the new single family home that was proposed was a modest structure.

Mr. James Brzozowski, P.E., P.P. with the firm of Horn, Tyson and Yoder, Inc., was sworn and described the existing property and what was proposed.

(Tape #565 – Side 2)

Mr. Brzozowski discussed the first floor elevation with the Board and noted that the first floor living space would be above the base flood elevation. Mr. Brzozowski noted that the lot coverage would be reduced but would be forty-two square feet over the allowable lot coverage.

Mr. David Gaffin, registered Architect in the State of New Jersey with the firm of Studio Tagland Designs, Inc. was sworn and described the proposed plans for the new single family home to the Board.

The Public Session was closed.

The Board discussed the application and noted that the proposed structure would be an improvement over the home that currently existed. They noted that the lot was small and that the proposed structure was conservative and would be an attractive addition to the neighborhood.

Leonetti moved, seconded by Konnor to approve the application with the condition that revised Engineering Plans with the first floor elevations are submitted. The following roll call vote was recorded: Konnor, Leonetti, Monaco, Pingaro, Schnell, Southwick, VanBuren, Jones and Andreotta voted **YES**.

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Mr. Monaco stepped down from the Board for the remainder of the evening.

The Board took a five-minute recess.

(3) #LUB-26-14 NORTH BEACH HAVEN

JOHN VERHOFF
Owner and Applicant
Block 4.36, Lots 11 & 12

Mr. John Verhoff, Owner, represented himself, was sworn and evidence was marked as follows: Application and Attachments which included the Long Beach Zoning Board Resolution 90-4 with regard to said property, **#A-1**, Minor Subdivision Map prepared by Nelke/Tyszka Land Surveyors, L.L.C. dated March 6, 2014, **#A-2**, and Review letter to the Board from Frank J. Little, Jr., P.E. dated June 3, 2014, **#B-1**. Mrs. Sicheri announced that the application would also require a special reasons variance since the existing structure was a duplex and noted that the notice was correct.

Mr. Verhoff stated that he proposed to move the lot line to increase the side yard setback to the existing structure on lot 11. He stated that he proposed to sell lot 12 and wanted ample room to move around the side of his house after a fence was installed.

Mr. Leon J. Tyszka, Professional Land Surveyor with the firm of Nelke/Tyszka Land Surveyors, LLC was sworn and described the existing property and noted that both lots would be conforming and that the lot containing the structure would be fifty-five hundred square feet with a conforming side yard setback. The Board discussed the proposed improvements with the Board Engineer.

Ms. Peggy Goyne of 113 East Colorado Avenue, Haven Beach was sworn and asked about a Waiver of curbs and sidewalks.

The Public Session was closed.

The Board felt that the application was straightforward noting that both lots would still be conforming.

Southwick moved, seconded by Konnor to approve the application with a waiver of the sidewalk requirement. The following roll call vote was recorded: Konnor, Leonetti, Pingaro, Schnell, Southwick, VanBuren and Jones all voted **YES**.

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Mr. Jones stepped down from the Board for the remainder of the meeting.

VERIZON NEW JERSEY, INC.

Owner and Applicant
Block 4.41, Lots 4 & 5

(Tape #566 – Side 3)

Mr. Nicholas F. Talvacchia, Esquire, represented the applicant and evidence was marked as follows: Application and Attachments, **#A-1**, Site Plan Map prepared by SR3 Engineers dated March 17, 2014 bearing the latest revision date of April 22, 2014. (Sheet 1 of 5), **#A-2**, Subdivision Map prepared by SR3 Engineers dated March 17, 2014 bearing the revision date of April 22, 2014. (Sheet 2 of 5) **#A-3**, Grading and Erosion control plan prepared by SR3 Engineers dated March 17, 2014 bearing the revision date of April 22, 2014. (Sheet 3 of 5), **#A-4**, Lighting and Landscaping Plan prepared by SR3 Engineers dated March 17, 2014 bearing the revision date of April 22, 2014. (Sheet 4 of 5), **#A-5**, Construction details prepared by SR3 Engineers dated March 17, 2014 bearing the revision date of April 22, 2014. (Sheet 5 of 5), **#A-6**, Interior Floor Plan submitted by Verizon New Jersey, Inc. dated December 23, 2010, **#A-7**, Review letter to Board from Frank J. Little, Jr., P.E. dated June 4, 2014, **#B-1**, Letter to Board from Daniel Krupinski, Assistant Health Officer dated June 11, 2014, **#B-2**. Mr. Talvacchia stated that part of the application included lot 4 owned by Michael and Patricia Hawes. Mr. Talvacchia stated that a lot line adjustment was proposed between lots 4 and 5 to bring lot four into greater conformity. Mr. Talvacchia stated that the Verizon building housed a switching station which was an inherently beneficial use to the public and that no employees were permanently assigned there. He noted that a conforming four lot subdivision was proposed, three as single family lots with the fourth lot as a commercial lot to contain the Verizon switching station. It was noted that twelve parking spaces were currently located in the residential zone portion of the Verizon lot and that the new proposal called for two parking spaces in the residential zone. Mr. Talvacchia stated that the two of the proposed lots were located in the residential zone and that the application would bring the overall property into greater conformity.

Mr. Steven Cohen, Associate General Counsel responsible for Real Estate at Verizon, was sworn and testified as to the use of the existing Verizon building. Photographs of the interior of the building were submitted and marked, **#A-8**. Mr. Cohen stated that he felt that the five proposed parking spaces would be sufficient for how the building was used.

Pamela and Michael Thomas Hawes of 13 West 19th Street (Owners of Lot 4) included in the application was sworn and stated that their home had been damaged by the storm and for many years had used a portion of Verizon property for their driveway. Mr. Talvacchia addressed the portion of the subdivision that would add a strip of land to the Hawes property making the frontage of the lot 53.60 feet. Mrs. Hawes stated that the Verizon trucks that visited the site were there for a short period of time and were not large trucks. Mr. and Mrs. Hawes stated that they would be in favor of the application.

Mr. Talvacchia addressed the letter from Daniel Krupinski, marked **#B-2** regarding the issue with seagulls at the Verizon property. Mr. Cohen stated that a requisition had been requested for a system to keep the seagulls off of the Verizon building's roof.

Mr. Samuel Renauro, P.E. and P.P in the State of New Jersey with the firm of SR3 Engineers was sworn and described the deterrents that were planned to keep the seagulls off of the roof. Mr. Renauro described the proposed subdivision to the Board and discussed Mr. Little's review letter. Mr. Renauro submitted an aerial photograph of the property, marked **#A-9**. Mr. Renauro stated that technology had obviated the need for the large parking area and full time staff that may have been needed years ago. Mr. Renauro stated that all of the proposed lots complied with the bulk requirements. The Board discussed a buffer from the proposed commercial lot that would retain the Verizon building and the maintenance of the grounds. Mr. Little stated that as part of an approval for the site plan portion of the application, the Board could request that the landscape plan be updated.

(Tape #566 – Side 4)

The Board discussed the proposed parking. Mr. Renauro stated that the switching station was an inherently beneficial use to the community and that the zone plan was improved by moving the parking further from the residential zone.

Mr. Paul Einreinhofer of 5 West 20th Street was sworn and submitted a letter of objection to the Board, marked **#O-1**. Mr. Einreinhofer stated that he was in favor of the portion of the application that would add a strip of land to the Hawes' property but was not in favor of the remainder of the application. Mr. Einreinhofer submitted photographs of Verizon trucks entering and leaving the property, marked **#O-2**. He stated his concerns with the truck traffic and size of the vehicles on the proposed smaller site.

Ms. Roberta Gianone of 3 West 20th Street was sworn and stated her concerns with the truck traffic and amount and type of vehicles entering and leaving the site.

Ms. Madeline Rodgers of 7 West 20th Street was sworn and testified about the amount of truck activity on the site and stated her concerns with the parking.

(Tape #567 – Side 5)

The Public Session was closed.

Mr. Talvacchia summarized the application.

Mrs. Sicheri addressed the Board regarding the use variance and proposed subdivision.

The Board discussed the application. Mr. Little stated that after hearing the testimony regarding the trucks and parking that he felt that a pole truck would not make it through the driveway and possibly end up parking there. He suggested that there be two residential lots and that the proposed southerly lot be used for parking since it was adjacent to commercial property. He noted that a buffer could be maintained on the northerly side where the residential properties were located. He suggested that a one way driveway could go through the property from street to street.

Mr. Talvacchia requested a five-minute recess.

Mr. Talvacchia requested that the application be carried except for the subdivision of the eleven foot strip to be attached to the Hawes' property. He stated that a separate subdivision plan would be submitted for signatures. Mr. Talvacchia stated that his client felt that it made sense to take the lot on the corner of 19th and the Boulevard and use it for parking and make a through connection from 20st Street. He stated that they would come back with a new plan for two residential lots as well as one commercial lot along the Boulevard for the Verizon facility.

The Board discussed the request and it was noted that a new notice would be given.

Konnor moved, seconded by Southwick to approve a portion of the application granting the subdivision of the strip of land to be consolidated with the Hawes' (Lot 4) property with the balance of the application to be held over to a future date. The following roll call vote was recorded: Konnor, Leonetti, Pingaro, Schnell, Southwick, VanBuren and Andreotta all voted **YES**.

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Under **Old Business**, the Board discussed the final Year End Report and the Resolution for the Year End Report.

Southwick moved, seconded by Konnor to approve the Year End Report. The following roll call vote was recorded: Konnor, Leonetti, Pingaro, Schnell, Southwick, VanBuren, Andreotta and Hummel all voted **YES**.

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The Board approved the payment of the Board Attorney's bill and Board Engineer's bill.

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The meeting was adjourned at 10:15 P.M.

LYNNE J. SCHNELL
CHAIRMAN

JEFFREY C. KONNOR
VICE CHAIRMAN